

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
December 15, 1999

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:02 p.m., Wednesday, December 15, 1999, in the Board Room, York County Finance Building, by Chairman Sheila S. Noll.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Albert R. Meadows, James W. Funk, and Jere M. Mills.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Reverend Carole Stockberger gave the Invocation

Pledge of Allegiance to the Flag of the United States of America. Chairman Noll led the Pledge of Allegiance.

**HIGHWAY MATTERS**

Mr. Quintin Elliott, Resident Engineer, Virginia Department of Transportation, appeared to discuss highway matters of interest to the Board. He stated a new project was getting underway to put a third north bound lane from Washington Square Shopping Center to Wolf Trap Road. He stated he hoped to extend the limit of the project to continue it from Washington Square to Lakeside Drive, and he asked for the Board's support during the public hearings. Mr. Elliott then noted Mr. Mills had asked about debris on Route 171. He stated it is off the right-of-way, although there may be access from VDOT's right-of-way, so perhaps something could be done.

Mr. Mills stated that the debris then is a County problem on Route 171.

Mr. Elliott stated the debris is not on VDOT's right-of-way, but VDOT will work with the County in order to get the problem solved.

Mr. Mills asked Mr. Stuck to notify the property owner that the debris had to be cleaned up.

Mr. Zarembo spoke about other jurisdictions and their road signs that hang from the light poles and are of a larger size than those in York County. He asked if this could be changed for York County.

Mr. Elliott stated the County has requested to put the signs up on the mast arms, and VDOT is considering the request.

Mr. Stuck noted the County is responsible for installing all street signs. The County asked for permission some time ago, and VDOT went through a long process to decide that the County could do that. Staff is now in the process of fabricating the signs, but it is not known exactly when they will be put up.

Discussion followed on whether or not VDOT will allow the signs to be hung on the mast arms.

Mr. Zarembo then asked about the sound barriers on I-64 at Queens Lake.

Mr. Elliott indicated the Department considers sound walls along roadways for roads under new construction or a new project. There is no program to go back and retrofit existing road systems.

Mr. Zarembo asked where the I-64 widening project ends going east.

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Mr. Elliott stated it ends east of Denbigh Boulevard.

Chairman Noll asked if the I-64 project was supposed to go up to Route 199.

Mr. Elliott stated the Department is looking for six-laning all the way to Richmond in the future.

Mr. Meadows thanked Mr. Elliott for the last four years for projects completed in District 3.

Mr. Funk noted that Mr. Elliott had talked about the widening of Route 17, and he stated he would like to be sure that Mr. Elliott had all the statistical counts so that if there were people who are disturbed about the widening, VDOT can show them the statistics that establish the need.

#### **EMPLOYEE RECOGNITION AND PRESENTATIONS BY CITIZEN BOARDS AND COMMISSIONS**

##### **YORK COUNTY SCHOOL BOARD**

Mr. Don Felling, Chairman of the York County School Board, spoke on the Schools Capital Improvements program approved by the School Board last Monday evening. He stated it was not a complicated plan and was one that the Board of Supervisors was familiar with since it has projects included in it that have been carried forward from year to year. Mr. Felling then provided the Board with an overview of the projects added to FY2006 and minor changes to previous years.

Discussion followed on the Seaford gymnasium project and building a facility that can be used for purposes beyond the needs of the school.

Mr. Funk addressed the addition to the School Board building, asking if it was an addition to the main brick building in order to get rid of the trailers.

Mr. Felling indicated it was. The FY2005 money will get rid of the trailers, and the FY2006 funding is an addition of a second story.

Mr. Funk complimented the School Board for the way the parking lot was configured.

##### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett had no report to make at this time.

##### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. Stuck asked the Board members about the proposal for use of New Quarter Park and the proposal concerning wake control which he had forwarded to them earlier. He stated he had only heard from Mr. Funk and Mrs. Noll, and he would move forward to see what the decision would be at budget time. Mr. Stuck then provided the Board members with a brief history concerning the timing of the Seaford gymnasium in the Capital Improvements Program (CIP). He stated that in FY1999 for the first time the School Board placed the project in its six-year CIP for construction in 2002. He had recommended that it be put in FY2004 at a higher dollar amount than the School Board recommended so that a facility could be built large enough to meet community need, and this is what the Board of Supervisors adopted. During the FY2000 budget season, the School Board again asked for the project to be placed in the 2001 budget. The Board at that time indicated it would be willing to move the project up if the School Division came up with additional money to build it. Mr. Meadows lobbied hard, and the Board allocated \$414,000 to the project. With the Schools allocation, the project fund is about \$1.1 million, still somewhat short of what is needed. Either the School Board has to allocate more, or the Board of Supervisors has to fund the difference, or the project won't be done in 2001. He stated the Board in no way has kept this project from moving forward, that the first time the project ever appeared in the CIP was last year for 2004. Mr. Stuck then briefed the Board on an issue from the Williamsburg area that he has been involved in concerning an effort by the Williamsburg Conference Bureau and some of the hotel properties and the jurisdictions to do a feasibility study for a

convention center in the Williamsburg area. The private sector has developed a good RFP and a proposal to share the cost between the local governments and the private sector on a 50/50 basis, and York County's cost would be approximately \$15,000. He stated he had informed the participants that he felt the York County Board of Supervisors would support the proposal. It appears to be a very good project, and the private sector was moving forward to come up with its share of the funding. He noted the facility was planned to be approximately 75-125,000 square feet in size.

Discussion followed on the contents of the RFP.

Chairman Noll stated she felt it would be money well spent.

Mr. Zaremba noted the Cascades was coming down, and part of the Williamsburg Lodge was coming down and being renovated. He indicated another point for Mr. Stuck to share with his counterparts is that there is another separate initiative going on by the Williamsburg Area Civic and Cultural Center (WA3C) group.

Mr. Stuck indicated one of the questions in the RFP is whether or not this facility would be enhanced by combining it with a performing arts center. Several of the individuals attending the meetings are also on the WA3C, but the WA3C does not have its final report ready yet.

By consensus the Board indicated a willingness to participate financially in the study.

Mr. Stuck then apprised the Board of the fact that Mrs. Simmons had achieved the International Institute of Municipal Clerks' highest certification. He also updated the Board on staff's efforts to upgrade the County's operating systems to make them Y2K compliant. Mr. Stuck then re-capped significant actions of the Board taken over the last 4 years as well as the 12 years Mr. Funk and Mr. Mills had served to maintain the quality of life for the citizens of York County. He presented the Board with copies of a listing of the 350-plus actions as follows:

#### 1988

1. Permitted the creation of the Kiln Creek Planned Development.
2. Approved construction of new athletic fields at Queens Lake Middle School and Waller Mill Elementary, including two baseball fields, one softball field and three soccer fields.
3. Approved the development of Wolftrap Park and Chisman Creek Park.
4. Approved funding for construction of Coventry Elementary School.
5. Completed construction of the Darby-Firby water system.
6. Began construction of Chisman Creek Park.
7. Placed a food and beverage tax referendum before the voters which was defeated.
8. Approved the purchase of the first of the new fire equipment under the referendum approved in November, 1986.
9. Approved site and storm drainage design requirements including, for the first time, a requirement for curb and gutter installation in certain developments.
10. Acquired, by donation, the fire station site on Back Creek Road for the Seaford Fire Station.
11. Established a resolution commendation program for all County volunteers on Boards and Commissions to recognize their contributions by resolution upon the termination of their service.
12. Granted County Administrator full authority to manage County personnel matters for the first time.

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13. Approved, in concept, the establishment of the Virginia Peninsulas Public Service Authority to address solid waste issues on a regional basis.
14. Approved water line extension program in the Allens Mill Road area in cooperation with Virginia Power.
15. Purchased a portion of the Orpah Cooper estate located at the intersection of Goodwin Neck and Wolf Trap Roads for the future location of the Central Operations facility.
16. Initiated the fire hydrant installation program to provide fire protection in all areas of the County where water lines existed sufficient to supply the hydrants.

1989

1. Approved funding for construction of a new Magruder Elementary School and land acquisition for the future construction of at least two schools.
2. Continued the installation of fire hydrants pursuant to the fire hydrant installation program.
3. Approved Phase I of a regional inventory of natural resources in partnership with James City County and the City of Williamsburg.
4. Established a premium conversion plan for County employees allowing them the opportunity to have their contributions to health insurance treated as nontaxable income.
5. Approved the creation of the Virginia Peninsulas Public Service Authority to deal with solid waste disposal issues on a regional basis.
6. Approved a regional historic resources inventory in partnership with James City County and Williamsburg.
7. Approved a geodetic control network and established a ground control system as the official system for use in York County as part of the Geographic Information System implementation.
8. Ceased providing landfill service to the City of Poquoson in response to concerns about diminishing capacity in the York County landfill.
9. Approved the issuance of bonds through the Virginia Public School Authority to acquire educational technology.
10. Approved a mission statement and goals for the County government to provide direction to the staff and a management system for the use of the Board during its term.
11. Appropriated funds and authorized the purchase of body armor for members of the York County Sheriff's Office.
12. Approved and funded major reconstruction of Fire Station No. 1 in Grafton as another step in implementation of the fire and rescue expansion project.
13. Approved tree preservation standards for inclusion in the York County Zoning Ordinance.
14. Adopted a "No Smoking" policy which eliminated smoking within most County office facilities.
15. Established the York County Arts Commission to recommend and monitor the use of County funds granted to arts organizations.
16. Established solid waste operations as a self-supporting Enterprise Fund in order to segregate the cost associated with solid waste mandates.

17. Approved new landscaping requirements for inclusion in the York County Zoning Ordinance requiring increased green space and landscaping for new development.
18. Changed zoning provisions applicable to nonconforming uses to prohibit their expansion or enlargement.
19. Adopted conditional zoning in York County permitting the use of proffers in rezoning requests to provide additional control over development proposals.
20. Approved a contract for aerial photography of the County as another step in the development of the Geographic Information System.
21. Organized and held the "Focus on Yorktown" workshop to begin the process of developing a Master Plan to guide future development and preservation in Yorktown.
22. Joined in a Regional Jail Study for the Southeastern Regional Jail to examine the feasibility of building a regional jail for a portion of Hampton Roads. Ultimately, after the feasibility study and estimated costs were known, the Board decided not to pursue this option further.
23. Adopted regulations requiring traffic impact studies for most new development proposals.
24. Established a memorial tree program to allow individuals to recognize loved ones by planting trees at Wolf Trap Park.
25. Approved the firm of Caro, Monroe, and Liang to design Phase I of the Central Operations facility which included the Grounds Maintenance Facility, the Vehicle Maintenance Facility, office buildings for General Services and Environmental Services, Fuel Point Number 2, an equipment storage building, related site work, and a Master Plan for future development of the site.
26. Adopted new regulations strengthening and expanding prohibitions against the keeping of inoperable vehicles.
27. Acquired by donation the site for Fire Station No. 5 at Skimino.
28. Approved a new compensation plan for County employees based on market comparability and productivity curves.
29. Approved construction of a sewer force main to Lightfoot in conjunction with James City County and Hampton Roads Sanitation District to provide sewer service to the Lightfoot corridor.
30. Participated in a regional health insurance study to explore the concept of providing health insurance to public employees on a regional basis. At the conclusion of the study the results indicated that such a program would not be cost effective for York County.
31. Approved Phase 2 of the regional natural resources inventory in conjunction with James City County and Williamsburg.
32. Approved the construction of the first joint fuel facility for the Schools and the County at Magruder Elementary School to comply with new underground storage tank regulations and mandates from the State and Federal government.
33. Amended the flood plain regulations in York County to update requirements relating to construction within flood plains. This effort was necessary to provide the opportunity for citizens to obtain Federal flood insurance for their properties.
34. Approved a formal contract accepting management responsibility for the Colonial Group Home Commission, a regional entity comprised of the counties of Gloucester, James City, and York and the city of Williamsburg.

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35. Acquired property for the third new fire station at Yorktown from the York County School Board. This completed acquisition of sites for all three new fire stations, all of which were acquired at no cost. The only land acquisition necessary for completion of the fire and rescue project was the parcel immediately behind the fire station at Grafton which was needed for expansion and access.
36. Adopted new vehicle policies for fleet usage and management.

1990

1. Provided sewer service to Camp Peary and Cheatham Annex under contract with the U.S. Navy.
2. Received the Governor's Five Year Award of Excellence for York's clean community program.
3. Completed the rezoning for the Whittaker's Mill development to provide all of the necessary zoning changes to allow the development to proceed as planned.
4. As the result of the "Focus on Yorktown" and to implement its recommendations, the Board authorized a market study, a master plan, an architectural design guideline study for Yorktown, and an engineering analysis of the wharf.
5. Completed the first of three joint fuel points with the School Board - Magruder School.
6. Approved funding for asbestos abatement at Grafton Bethel Elementary School.
7. Approved funding for the reconstruction of Grafton Bethel and land purchases for future schools.
8. Completed hard surfacing of Red Dirt Road and Kentucky Drive and placed them into the State Highway System - Dirt Street Program.
9. Authorized applications for, and received a grant from, the Virginia Department of Housing and Community Development, and a loan from FmHA and, in addition, provided local funding to complete the installation of public sewer in Lackey.
10. Approved the Entrance Enhancement Program and the signs and authorized implementation.
11. Authorized and funded a major asbestos abatement project and renovation of the Griffin-Yeates Center.
12. Presented, for the first time, Outstanding Youth of the Year Awards.
13. Adopted a five year Capital Improvements Program - first time.
14. Opened the Drop-off Recycling Center at the York County Landfill.
15. Approved Phase III of the Fire Hydrant Installation Program.
16. Installed two wells with IDA and private interests at Lightfoot which are now approved by the Health Department and owned by the County to help with water supply in the Lightfoot Road corridor.
17. Voted to approve the merger of the Peninsula Planning District Commission and the Southeastern Planning District Commission into the Hampton Roads Planning District Commission.
18. Authorized use permit to allow Hampton Roads Sanitation District to locate pipe under the York River to serve Gloucester County.
19. Purchased land for the third joint fuel point near Tabb High School.

20. Approved financing and construction of the Operations Center, Phase I.
21. Authorized the design of Phase II of the Operations Center (Human Services).
22. Continued the former Parent Child Development Center (PCDC) program after the York County Volunteer Association (YCVA) was unable to continue its operation by contracting with Child Development Resources (CDR) to run a program to be known as First Steps.
23. Became one of the first jurisdictions in the State to adopt regulations implementing the Chesapeake Bay Act.
24. Approved and began the major outfall ditch maintenance program using mechanized equipment to improve mosquito control and drainage in the County.
25. Worked through the process of developing a method for extending sewer and water to existing residents who lack it and received the approval of the voters to enact a food and beverage tax for funding for that program and school debt service.
26. Agreed to negotiate with the Virginia Peninsulas Public Service Authority to host a regional recycling center. Ultimately the decision was made that the Service Authority would not build a recycling center but would rely on a private contractor to do so. The facility was ultimately located in the City of Hampton.
27. Authorized a contract to produce digitized maps of the County as a part of the establishment of the Geographic Information System.
28. Approved the use of County funds to construct improvements to intersections at Big Bethel/171, Carys Chapel/171, and to Villa Way.
29. Approved an emergency shelter agreement with New Kent County to improve response and evacuation capabilities in an emergency situation.
30. Renovations to Fire Station No. 1 and construction of Yorktown Station completed, construction began at Skimino and Seaford, and hiring and training of staff started.
31. Renovated the Treasurer's Office.
32. Constructed new field at Brown Park.
33. Streamlined and updated the Vehicle License Ordinance.
34. Revised and improved procedures for acceptance of developer installed sewer and drainage improvements.
35. Updated Chapter 4 of the York County Code - Animals and Fowl.
36. Approved the entire budget at the first meeting in May - two months early - streamlined the process.
37. Transferred responsibility for the land use assessment program, tax exemption for the elderly program, and the tax mapping program from the Commissioner of the Revenue to Financial and Management Services and Community Development to relieve the Commissioner of the Revenue's workload.
38. A number of zoning text amendments related to, among other things, town house setback and design were adopted to improve administration of the Zoning Ordinance.
39. Established a policy regarding the release of information under the Freedom of Information Act and set charges.
40. Began quarterly meetings between the County staff and Homeowner and Civic associations to improve the information flow.

41. Authorized a payroll deduction deferred compensation plan for employees.
42. Approved improvements to the employee's health care coverage.
43. Approved the purchase and installation of a new telephone system.
44. Approved an upgrade of the County's mainframe computer.
45. Approved computerization of records in the Sheriff's Office.

1991

1. Assumed responsibility for the Summer Youth Training Program which had formerly been handled by the York County School System when the School Division decided to no longer offer the program.
2. Approved a revised Emergency Operations Plan for the County.
3. Joined the Regional Raw Water Study Group which includes the City of Newport News, the City of Poquoson, the City of Williamsburg, and York County to explore alternatives for future water supply.
4. Authorized participation with the Virginia Peninsulas Public Service Authority in the design of a transfer station and composting facility at the York County Landfill .
5. Supported the Yorktown 300 celebration.
6. Authorized construction of recreational facilities at Coventry and Magruder Elementary Schools. Included lighted fields, gymnasiums, and playgrounds.
7. Contracted for the development of Yorktown design review guidelines as further implementation of the "Focus on Yorktown" initiatives.
8. Initiated a County-wide curbside recycling collection program through the Virginia Peninsulas Public Service Authority.
9. Closed the Yorktown Wharf due to unsafe conditions outlined in the engineering analysis.
10. Authorized the design of the Lightfoot Water System.
11. Authorized design of Fuel Point No. 3 at Tabb High School.
12. Authorized construction of a new ramp at Fire Station No. 1 in Grafton.
13. Adopted a new Subdivision Ordinance for York County replacing the previous ordinance adopted in 1957.
14. Approved the concept for and opened the Senior Center of York, initiating the first recreational programs for seniors in York County.
15. Adopted a Personnel Manual for York County employees which represented the first comprehensive Personnel Manual approved by the Board of Supervisors for the work force in York County.
16. Approved a new comprehensive Purchasing Policy which fully implemented Central Purchasing for all County agencies and specifically the York County School System.
17. Approved funding for construction of Phase 2 of the York County Operations Center (the former Human Services Building).
18. Approved construction of the Mansion Road water project.



19. Approved Phase 4 of the fire hydrant program.
20. Approved an additional upgrade to the County's main computer system.
21. Reassigned responsibility for the Sister City Program from the Historic Commission to the County Administrator's Office.
22. Approved the design effort for a vacuum sewer system to be constructed in the Seaford area.
23. Approved landscaping, streetscaping, sidewalk and sign improvements in Yorktown.
24. Approved the admission of Gloucester County to the Virginia Peninsulas Public Service Authority.
25. Approved implementation of the Miss Utility Program in the County as required by State law.
26. Appointed a new member to the Board of Supervisors to serve in the place of Dr. Ward Anderson until an election could be held in November.
27. Adopted an ordinance requiring businesses to annually submit a recycling report providing information as to the quantity and types of recyclables being processed by York County businesses.
28. Acquired a small piece of additional property adjacent to the previously acquired Operations Center property allowing better configuration of one of the entrances and improved usage of the remaining property.
29. Adopted a new Erosion and Sediment Control Ordinance significantly increasing land disturbing activities subject to regulation.
30. Approved and implemented a school athletic field scheduling agreement with the School Board to provide coordination and scheduling by the Division of Recreational Services of School athletic fields.
31. Approved the purchase of the privately owned Springfield Terrace Water System.
32. Decided not to approve an early retirement option for County employees offered by the Virginia Retirement System due to increased retirement contributions which would be required of the County in the future.
33. Established new election districts for the County in response to the 1990 census data.
34. Adopted the first Six Year Capital Improvement Program for the County of York.
35. Accepted the donation of a handicapped-accessible playground located adjacent to Seaford Elementary School on property donated to the County by Amoco. The playground was designed in cooperation with County staff.
36. Adopted a new Comprehensive Plan, Charting the Course to 2010, representing the first true comprehensive plan for the future development of the County of York.

1992

1. Approved the contract for construction of the Human Services Building to provide for the needs of the Social Services Department and the Peninsula Health District.
2. Executed contracts with the Commissioner of the Revenue, the Treasurer, the Sheriff, and the Commonwealth's Attorney to formally add their employees to the York County Personnel System.

3. Approved construction of the Brook Lane, Riverside, West Woodland, and Whites Road water projects.
4. Reached agreement with the National Park Service to take over ownership of sewer facilities in the Yorktown area provided certain improvements were made by the Park Service and Congressional approval is obtained.
5. Approved the contract for construction of Phase 2 of the Lackey Sewer System which will complete the installation of sewer throughout the established area of Lackey.
6. Approved construction contracts for the Mill Cove and Tabb Terrace sewer projects.
7. Approved the expansion of the Head Start Program to Grafton Bethel Elementary School, physically providing Head Start services for the first time in the eastern portion of York County.
8. Appointed the first School Board member ever appointed by the Board of Supervisors to the York County School Board subsequent to a voter referendum transferring this authority from the School Board Selection Commission to the Board of Supervisors.
9. Approved a formal school grounds maintenance agreement with the York County School Board which contractually establishes school grounds maintenance as a responsibility of the Department of General Services and provides that funding for that purpose be placed in the School Divisions Budget to properly reflect the purpose of the expenditure.
10. Approved the construction of a new library access and site improvements to the York County Library to improve parking and access.
11. Approved new York County building inspection regulations and fees to correct deficiencies in the existing ordinance and to recover the cost of inspection services from construction activities.
12. Approved site work and drainage construction at the Kiln Creek School site to ensure the site's availability for future school purposes.
13. Approved cost sharing agreements with developers and the IDA along with a well mitigation policy for construction of a new water supply system near Lightfoot.
14. Installed closed circuit security television in the York County jail.
15. Approved the design contract for a new Lightfoot water system.
16. Opened Wolf Trap Park.
17. Approved a contract with the Virginia Peninsulas Public Service Authority for the design of a Solid Waste Transfer Station for York County.
18. Supported a regional effort to develop a community services center building in the Williamsburg area (became the Historic Triangle Community Center).
19. Approved several amendments to York County's ordinances to allow implementation of a comprehensive solid waste management program to meet State and Federal mandates.
20. Revised and approved fees for recreational programs to bring those fees in line with other jurisdictions.
21. Approved a contract with the cities of Hampton and Poquoson for a regional composting facility at the York County Landfill to be owned and operated by the Virginia Peninsulas Public Service Authority.
22. Implemented the Comprehensive Services Act for At Risk Youth and Families as required by State law.

23. Initiated a regional study of traffic problems in the Richmond Road/Monticello Avenue area to improve traffic flows and accessibility to community facilities such as Williamsburg Community Hospital by York County residents.
24. Approved a contract with Browning Ferris Industries to enable the County to provide curbside collection of solid waste throughout York County.
25. Approved closure of the York County Landfill by October 9, 1993.
26. Amended the York County Comprehensive Plan to revise the School Facilities section of the community facilities element to address unexpected enrollment increases experienced in September, 1992.
27. Authorized and funded a planning study for a Regional Jail with Williamsburg, James City County, and Poquoson.
28. Additional streetscaping improvements completed in Yorktown.

### 1993

1. Approved an additional expansion of the Head Start Program to incorporate a facility at Tabb Elementary School providing the second location in the southern end of the County.
2. Approved and funded participation in a Regional Juvenile Detention Facility Planning Study with eighteen other jurisdictions on the Peninsula and Middle Peninsula.
3. Established the Virginia Peninsula Regional Jail Authority with James City County and the cities of Poquoson and Williamsburg to begin the process of designing and constructing a regional jail facility.
4. Approved an upgrade of the 911 Center to expand the capacity of the computer aided dispatch system to provide an additional dispatch console and to modernize the equipment.
5. Approved Phase 5 of the fire hydrant program which represented completion of the effort to install fire hydrants on water lines in York County which would support hydrants and for which for one reason or another had not had hydrants installed in the past.
6. Initiated efforts to establish transit service in York County.
7. After numerous public meetings, established curbside collection rules and fees for operation of the solid waste collection program within York County.
8. Approved the Master Plan for Yorktown and incorporated it in the York County Comprehensive Plan.
9. Approved the contract for construction of a Solid Waste Transfer Station at the York County Landfill.
10. Approved the contract for construction of Fuel Point No. 3, the third and final consolidated fuel point for the York County government and the York County School System.
11. Opened the Human Services Building.
12. Approved a new health insurance plan for County Employees providing three options for coverage as part of a self-insurance plan designed to reduce future costs.
13. Approved the acquisition of land adjacent to the District Courts Building for future court facilities.
14. Amended the York County Comprehensive Plan to include a Regional Bikeway Plan.

15. Completed installation of new entrance and building signs and new "brownstone" street surfacing in Yorktown.
16. Approved a memorandum of understanding with the York County School Board regarding major school construction projects including the establishment of budgets for the Grafton Middle School/High School project and additions at Tabb Elementary School and Yorktown Elementary School.
17. Approved a strategic capital plan, Target 2000, for County water and sewer systems and authorized its implementation with reviews to occur every two years.
18. considered and rejected extension of the ban on firearms discharge to a large portion of the Seaford area.
19. Closed the York County landfill. Construction of Transfer Station and Compost Facility began.
20. Authorized participation in the Williamsburg Area Medical Assistance Corporation to provide primary medical care and services to low income County residents.
21. Authorized \$4.5 million in School bonds to fund design and construction costs for additional School facilities.
22. Hosted official Zweibrucken delegation.
23. Entered cooperative agreement with York County Little League to operate and co-sponsor all youth baseball and softball proposed.
24. Authorized expansion of Senior Center and move to Washington Square (three times the space).

1994

1. Authorized funding for the new Grafton High/Middle School, renovations to Tabb Elementary and Yorktown Elementary totaling \$29 million.
2. Approved construction contract for Greensprings sewer project.
3. Approved design of Carys Chapel sewer project.
1. Studied court facilities needs.
2. Received report of York County Health Study Team regarding availability of health care in York County. Accepted recommendation for improved communications, continued monitoring, and establishment of cable TV 36 information program "Healthbeat."
3. Approved design of Dare sewer and water projects.
4. Supported King William Reservoir project as long term regional raw water supply solution.
5. Approved design of Dandy sewer system.
6. Contracted with BFI to operate the County solid waste transfer station.
7. Contracted with BFI to haul and dispose of waste from the transfer station.
8. Approved construction of Seaford sewer vacuum pump station.
9. Approved construction of the Utilities Building at the Central Operations Center.
10. Authorized \$26.5 million in School bonds representing the balance necessary for construction of the Grafton High School/Middle school complex and Yorktown and Tabb

## Elementary schools.

11. Approved a streetlight acceptance and operation policy which began the formal development of a streetlight system.
12. Authorized the preparation of a Route 17 Corridor Beautification Plan.
13. Approved the "Skate, Rattle and Roll" roller skating program for operation at the Historic Triangle Community Center on Waller Mill Road.
14. Altered the collection of real estate taxes from an annual to a semi-annual system to generate funds required to construct a new courthouse, library, and office space renovation.
15. Approved construction of the Seaford sewer system, the first vacuum collection system in the County.
16. Accepted grant funds and authorized the construction of the Lackey Community Building in Charles Brown Park along with park renovations.
17. Approved participation in the Merrimac Center (regional Juvenile Detention facility).
18. Established Board Policy Manual to consolidate all significant Board policies into one document.
19. Approved the design contract for a new York-Poquoson Courthouse.
20. Approved participation in the construction of the Virginia Peninsula Regional Jail.
21. Authorized placing County real estate assessment information on line for the first time in a joint effort with the City of Hampton.

1995

1. Initiated a reconfiguration of the County's information management system to increase reliance on servers and desk top machines and to standardize software (the beginning of Computer Support Services Division).
2. Approved funding for renovations at Bethel Manor Elementary and the design of an addition to Grafton Bethel Elementary School.
3. Approved construction of Lightfoot Water Supply System.
4. Approved renovation to expand the capacity of the York County Jail as an interim measure until the new regional jail was completed.
5. Approved regional enforcement of local motor vehicle licensing.
6. Agreed to cost sharing arrangements with the City of Poquoson for the new York-Poquoson Courthouse.
7. Authorized construction of a utility equipment storage building at the Griffin-Yeates location.
8. Implemented a pilot public transportation program for a three year period (bus service).
9. Purchased the first specially designed rescue truck for the York County Fire and Rescue Service.
10. Developed Mutual Services Agreement with the United States Coast Guard Training Center.

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11. Approved in-house recodification and maintenance of the York County Code, removing that from a contractual service, providing faster updating at a \$7,000 year savings.
12. Approved the construction of the Carys Chapel Road Sewer project.
13. Approved the construction of the Springfield Terrace water system.
14. Approved the design of Phase I of the Yorktown Riverwalk Project.
15. Approved a Utility Connection Fee Assistance Program for low-income families.
16. Approved a policy on publicly funded incentives and intra-regional competition for economic development in Hampton Roads.
17. Established a White Goods/Scrap Metal recycling operation at the York County Solid Waste Management Center by contract with VPPSA.
18. Adopted a new Zoning Ordinance to implement the 1991 Comprehensive Plan.
19. Amended the Subdivision Ordinance to implement the 1991 Comprehensive Plan.
20. Adopted Ordinance requiring children fourteen years and younger to wear protective bicycle helmets.
21. Entered cost sharing agreement to partially extend sewer into commercial areas adjacent to Kiln Creek.
22. Authorized undergrounding utilities along Ballard Street in Yorktown from Water Street to the courts and office center.
23. Acquired a portion of the right-of-way necessary for the extension of Ft. Eustis Boulevard to Old York Hampton Highway.
24. Adopted new laws related to water system operation and development to create a unified system and establish policies for extension and to establish new standards and specifications.
25. Authorized design of the Calthrop Neck Sewer Project.

1996

1. Approved funding for an addition to include a gym at Grafton Bethel Elementary, an addition to Coventry Elementary, and a new roof for Waller Mill Elementary.
2. Began the review process of the 1991 Comprehensive Plan "Charting the Course to 2010".
3. Authorized the acquisition of a mobile radar trailer to use as a public safety warning to motorists.
4. Authorized the establishment of emergency cellular call boxes at various isolated locations in the county with high traffic volumes.
5. Entered into an agreement with the City of Newport News providing for the City to meet the long-term water supply needs of the entire County.
6. Authorized construction of the new York-Poquoson Courthouse.
7. Prohibited leaf burning in a large portion of the County.
8. Approved emergency access gate to Rochambeau Road from Route 199 at Lightfoot to ensure response times for fire and rescue.

9. Agreed to financially support the new Hampton Roads Partnership.
10. Developed a Memorandum of Agreement with the City of Williamsburg to address the continuing problems and the proper assessment for taxation by York County of the Waller Mill Reservoir and Watershed owned by the City.
11. Adopted proration of personal property for taxation purposes to provide funds for Tabb Middle School additions and renovations as well as County office space renovations.
12. Increased the Transient Occupancy Tax from 2 to 5% with the increase in proceeds to be devoted to tourism purposes, all pursuant to special authority with restrictions granted by the General Assembly.
13. Approved the construction of the Dandy Sewer System.
14. Repealed all bingo and raffle regulations.
15. Accepted the finished product of the Route 17 Corridor Master Plan effort.
16. Authorized agreement with VDOT to allow the county to provide parking under the Coleman Bridge for the Yorktown Waterfront.
17. Authorized commercial advertising in "Citizen News" to offset the cost of publication and distribution; established advertising policy, rates, and procedures.
18. Authorized design of Phase II of the Yorktown shoreline protection/restoration project.
19. Authorized the purchase of the first Yorktown Trolley using grant funds received from the federal government.
20. Accepted the report of the 2015 Comprehensive Plan Review Committee suggesting minor revisions to the 1020 Comprehensive Plan. Requested the Committee to recommend specific changes.
21. Established an Impact Aid Reserve Fund in cooperation with the School Board to provide a financial hedge against a decline in impact aid.
22. Established Mission Statement and Goals for the Board's term.
23. Authorized and funded additional site work at Grafton Bethel Elementary School to complete the project.
24. Rented larger space and moved the Senior Center to the George Washington Square Shopping Center.
25. Decided to use the former Circuit Courthouse for government meetings and to use the balance of the building for non-government purposes. In addition, a plan for office renovations and moves was agreed upon.
26. Approved additional renovation to Bethel Manor Elementary School.
27. Contracted for the provision of a Household Chemical Collection Program to be operated at the County Solid Waste Management Center.
28. Guaranteed financing for the Industrial Development Authority to construct the County's first shell building at York River Commerce Park.

1997

1. Approved Bay Tree beach and Smoot's/DcAlba Lane water projects.
2. Funded the construction of a gym at Dare Elementary School.

3. Accepted a state grant for construction of a new pier and funded replacement of docking facilities at Back Creek Park.
4. Created the Peninsula Public Sports Facility Authority along with other Peninsula jurisdictions to provide a regional vehicle for financing sports facilities.
5. Approved a new roof and heating and air conditioning system for the Griffin-Yeates Center.
6. Resolved final outstanding issues regarding closure of the York County Landfill, thus completing the transition of the solid waste management system which began in 1989.
7. Authorized payment of York County's share of the Regional Competitiveness Act funds to the Hampton Roads Partnership for regional use.
8. Approved the design of the Dare area sewer and water project.
9. Agreed to support financially the construction of a regional baseball stadium. The project ultimately died due to a lack of commitment from other jurisdictions.
10. Approved and funded the construction of Kiln Creek Park.
11. Resolved a dispute over the completion of Coventry Boulevard to Route 17 and began funding of improvements to the design to assure public safety.
12. Agreed to fund, for three years, a fund raising executive to assist the Yorktown Foundation in meeting its mission to raise funds for implementation of the Yorktown Master Plan.
13. Approved a leaf collection program to be operated by the County and authorized purchase of necessary equipment.
14. Approved an expansion of the drainage maintenance program, to include minor construction and a six-year capital projects plan.
15. Approved a joint self-insurance program with the School Board for Workers' Compensation.
16. Agreed to support the Yorktown Foundation in the development of a Celebrate Yorktown Festival.
17. Approved funding for new automated voting machines for the County.
18. Terminated the public transportation pilot program due to lack of ridership.
19. Privatized a portion of custodial services for County facilities.
20. Agreed to accept certain sanitary sewer facilities in Yorktown from the National Parks Service.
21. Renewed and extended the County's Cable TV Franchise Agreement with Coxcom, Inc.
22. Authorized economic incentives to Amoco to encourage the development of a new refining technology (ultimately the effort was dropped by Amoco).
23. Authorized borrowing \$15 million for various school projects including the renovation of Tabb High School, Magruder Elementary, and Tabb Middle School renovations and additions.
24. Approved the semi-annual collection of Personal Property Taxes which provided funds for the Tabb Library, Tabb Middle School and County office space renovations.
25. Authorized the Penniman Road Water Project.



26. Approved the restructuring of regional economic development efforts and the creation of the Peninsula Alliance for Economic Development.
27. Purchased 4.7 acres of improved property adjacent to York High School for future use.
28. Approved construction of the Parks and Recreation Office Building at the Operations Center and the vacation of space in the Human Services Building by the Peninsula Health District, relocating Health Department Services to the office adjacent to Riverside Hospital.
29. Agreed to extend utilities and road improvements to create (jointly with Virginia Power) the York River Commerce Park, with the County's investment to be recovered upon sale of the property.
30. Began the process of making significant off-budget appropriations of surplus fund balances to the school division classroom technology programs. This practice has continued at the end of each fiscal year since it started.

1998

1. Retained Continental Research Associates Inc. to conduct citizen surveys on an as-needed basis to provide a tool for better gauging citizen sentiment on certain issues and services.
2. Entered an agreement with Yorktown Dinner Cruises LLC to allow the operation of a dinner cruise originating from the Yorktown Waterfront.
3. Authorized the relocation of public safety functions (Law Enforcement, E-911, and Fire and Life Safety) to the former Human Services Building and necessary renovations to that facility to accommodate the new users.
4. Set up a transportation mini-grant program to provide limited transportation opportunities to those most in need.
5. Approved construction of the Queens Lake drainage project.
6. Authorized construction of the Dare area water and sewer project.
7. Authorized survey of residents to determine extent of and desires for solving the perceived deer problems in York County.
8. Approved construction of the Old Lakeside/Patricks Creek sewer extension.
9. Authorized the first known survey by Continental Research of Citizens regarding satisfaction with County services.
10. Approved the construction of the Tabb Library.
11. Accepted a matching grant and appropriated funds to conduct an architectural survey of structures more than 50 years old.
12. Authorized Phase II of the Yorktown Shoreline Protection Project.
13. Approved the acquisition of an updated E-911 system for the relocated communications center.
14. Agreed to long-term funding support of the Peninsula Workforce Development Center to be constructed at Thomas Nelson Community College.
15. Approved concept drawings and authorized final design of the Yorktown Wharf Area Improvements.

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16. Agreed to contribute \$400,000 to a proposed Center for the Arts at Christopher Newport University.
17. Repealed land use assessment availability for the forestry and open space categories only.
18. Agreed to underground utilities along the western end of Water Street as part of the Riverwalk project.
19. Approved the construction contract for renovation of the old Circuit Courthouse for meeting space and community activities and authorized demolition of the former York County Jail.
20. Approved a contract to perform an assessment of the County's various marketing materials and make suggestions for change as well as developing specifications for the use of image and identity logos.
21. Simplified both real estate assessment functions and the tax relief for the elderly program by contract with the Commissioner of Revenue.
22. Authorized a referendum on establishment of a County Police Force (which was defeated).

1999

1. Approved funding for a new roof at Yorktown Middle School and for the first time included funding in the six year Capital Improvement Program for classroom technology amounting to about \$4 million dollars in addition to off budget appropriations.
2. Established a policy providing for the replenishment of both the Industrial Development Authority's and the County's economic incentive funds.
3. Negotiated and approved a new long term water supply agreement with the City of Williamsburg to provide for water service in the Bypass Road area.
4. Approved construction of the Calthrop Neck Road water and sewer project.
5. Guaranteed financing of the IDA's build out of the shell building for occupancy by Trivanni Pumps.
6. Authorized use of credit cards for certain county small purchases.
7. Authorized construction of the Penniman Road drainage improvement project.
8. Approved the construction of an additional soccer field and parking and entrance improvements at Dare Elementary School and the School Board Administration Building.
9. Approved a reorganization of the Williamsburg Area Regional Issues Committee.
10. Contracted for the development of a Streetscape plan for Yorktown as part of the Master Plan Implementation.
11. Approved streetlights and a walking path for Coventry Boulevard to complete the improvements promised to the neighborhoods.
12. Renovated the former Public Safety Building and leased a portion of it to the Postal Service for the new location of the Post Office.
13. Supported financially a regional effort to maintain federal funding for NASA Langley Research Center.
14. Approved the construction of Phase I of the Yorktown "Riverwalk".

15. Approved the construction of Phase II of the Dare Water and Sewer Project.
16. Authorized construction contracts for renovation of the Finance Building and the Administration Building in Yorktown.
17. Authorized installation of median landscaping along lower Route 17 and Route 171 west of Route 17.
18. Issued \$9.4 million in Sewer Revenue Bonds to allow uninterrupted continuation of the Utilities Capital Plan.
19. Approved a revised Comprehensive Plan, "Charting the Course to 2015".
20. Approved a construction contract for Phase III of the Yorktown Waterfront Shoreline Protection Project.
21. Authorized condemnation proceedings to acquire title to land on Water Street between Ballard and Buckner Streets for use as public parking.
22. Approved a contract/lease agreement with the YMCA to develop a community center on property owned by the County adjacent to the Tabb Library.

Chairman Noll asked that copies of the listing be provided to the libraries. She thanked the three Board members leaving the Board at this time, stating they have much to be proud of in the work conducted. She stated the County has been very fortunate that they have served the citizens so well.

#### **PUBLIC HEARINGS**

##### **BUREAU OF JUSTICE ASSISTANCE GRANT FUNDING**

Mr. Stuck explained that the purpose of the public hearing was to receive public comments concerning the County's use of grant funds awarded by the Federal Bureau of Justice Assistance for the purchase of a new Criminal Records Management System. He noted that no other action was required by the Board of Supervisors.

Chairman Noll called to order a public hearing on the use of grant funds awarded the County by the Federal Bureau of Justice Assistance for the purchase of a new criminal records management system, which was duly advertised as required by law.

There being no one present who wished to speak concerning the use of the subject grant funds, Chairman Noll closed the public hearing.

##### **TRANSPORTATION ENHANCEMENT PROGRAM: YORKTOWN WHARF AND WATERFRONT INTERPRETIVE AREA**

Mr. J. Mark Carter, Assistant to the County Administrator, made a brief presentation explaining proposed Resolution R99-229 to request the Commonwealth Transportation Board to approve funding through the Virginia Transportation Enhancement Program for construction of certain improvements to the Yorktown Waterfront. He noted this request asks for the additional \$159,000 to complete the County's original request.

Chairman Noll then called to order a public hearing on proposed Resolution R99-229 that was duly advertised as required by law and is entitled:

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE FUNDING THROUGH THE VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM FOR CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE YORKTOWN WATERFRONT TO BE KNOWN AS THE YORKTOWN WHARF AND WATERFRONT INTERPRETIVE AREA

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There being no one present who wished to speak concerning the subject resolution, Chairman Noll closed the public hearing.

Mr. Zaremba asked if this was the County's application or that of the Yorktown Foundation.

Mr. Carter stated it was the County's application.

Mr. Meadows moved the adoption of proposed Resolution R99-229 that reads:

A RESOLUTION TO REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE FUNDING THROUGH THE VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM FOR CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE YORKTOWN WATERFRONT TO BE KNOWN AS THE YORKTOWN WHARF AND WATERFRONT INTERPRETIVE AREA

WHEREAS, the Yorktown Master Plan, adopted on March 4, 1993, subsequent to public hearing, proposes various improvements along the Yorktown waterfront including the reconstruction of the wharf, the adaptation of the former warehouse/ferry building to a public use, and the establishment of an open-air public plaza; and

WHEREAS, these proposals were reaffirmed and refined during a community planning workshop conducted in July 1998 and are widely supported as important and integral elements of the Yorktown improvement effort that has been underway since 1988; and

WHEREAS, the York County Board of Supervisors desires to make application under the Virginia Transportation Enhancement Program for funding to assist in the completion of this project; and

WHEREAS, the Board is appreciative of the partial funding approved in 1999 for this project and wishes to have consideration given to an additional funding allocation of \$950,000 for the project; and

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request, by resolution, be received from the Board of Supervisors in order for the Virginia Department of Transportation to provide funding for a Transportation Enhancement Program project in York County; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this request;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of December, 1999, that it hereby requests the Commonwealth Transportation Board to approve supplementary funding in the amount of \$950,000 for the Transportation Enhancement Program project for the Yorktown Wharf and Waterfront Interpretive Area improvements.

BE IT FURTHER RESOLVED, that the York County Board of Supervisors hereby agrees to pay at least 20 percent of the total cost for planning, design, right-of-way, and construction of this project, and that, if York County subsequently elects to cancel the project, the Board hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

On roll call the vote was:

Yea: (5) Zaremba, Meadows, Funk, Mills, Noll  
Nay: (0)

#### SECONDARY ROADS SIX-YEAR PLAN

Mr. Robert Baldwin, Chief Planner, made a presentation on proposed Resolution R99-196 for the Board to approve a project priority listing for secondary road construction for the six-year period

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FY2001 through FY2006 and approve a construction budget for FY2001. The Planning Commission considered the plan and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the plan through the adoption of proposed Resolution R99-196.

Chairman Noll then called to order a public hearing on proposed Resolution R99-196 which was duly advertised as required by law and is entitled:

A RESOLUTION TO APPROVE A PROJECT PRIORITY LISTING FOR  
SECONDARY ROAD CONSTRUCTION FOR THE SIX-YEAR PERIOD  
2000-01 THROUGH 2005-06 AND APPROVE A CONSTRUCTION  
BUDGET FOR FY2000-01

There being no one present who wished to speak concerning the subject resolution, Chairman Noll closed the public hearing.

Mr. Zaremba noted the Transportation Safety Commission had recommended that the Newman Road project be added, and he asked why it was not.

Mr. Baldwin explained that the project was originally in the plan but was deleted last year. He indicated the primary reason was that the project would cost \$2 million. The road carries a limited amount of traffic, and not enough to spend \$2 million. Mr. Elliott was asked to look at the project to see if some modifications could be made and return with a recommendation for improvements rather than the entire roadway being done.

Mr. Zaremba stated there is a lot of traffic from the people who come down Newman Road to I-64, and he asked if a study was done.

Mr. Elliott stated he did not have any recent traffic counts, but would have them done if the Board wished.

Chairman Noll and Mr. Zaremba indicated they felt the traffic count should be done.

Chairman Noll suggested that perhaps cutting the project into smaller projects would be one way to proceed.

Mr. Elliott indicated the Department went back to look at the bad curves and areas that were intolerable. He suggested that the project could be scaled back to cover the curves, and this would help improve the safety of the road.

Mr. Meadows indicated he felt that Seaford Road should also have a study done.

Mr. Elliott indicated there was presently a project to improve the shoulders with paving.

Mr. Zaremba stated it was his understanding concerning Newman Road that VDOT would conduct a traffic study and let the Board know what improvements will be made.

Mr. Meadows moved the adoption of proposed Resolution R99-196 that reads:

A RESOLUTION TO APPROVE A PROJECT PRIORITY LISTING FOR  
SECONDARY ROAD CONSTRUCTION FOR THE SIX-YEAR PERIOD  
2000-01 THROUGH 2005-06 AND APPROVE A CONSTRUCTION  
BUDGET FOR FY2000-01

WHEREAS, the York County Board of Supervisors has been requested to give consideration and provide advice on a proposed program of secondary road improvements contained in the six-year plan; and

WHEREAS, the Resident Engineer of the Virginia Department of Transportation has provided a recommended program which the Board has carefully considered; and

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WHEREAS, the York County Transportation Safety Commission recommends approval of the project priorities contained in the submitted program and has recommended the addition of Newman Road (Route 646); and

WHEREAS, the Board of Supervisors removed the proposed Newman Road improvements from the Secondary Road Plan in 1998 because of their high cost and the relatively low traffic volumes on this road and re-affirmed this decision at its September 22 work session; and

WHEREAS, the York County Planning Commission recommends approval of the proposed projects and priorities and has found them to be in conformance with the York County Comprehensive Plan; and

WHEREAS, the Board and the Virginia Department of Transportation have jointly conducted a duly advertised public hearing and received public comment in accordance with applicable procedure;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of December, 1999, that the Board does hereby adopt the following project priority listing, as set forth in the "Secondary System Construction Program" prepared by the Virginia Department of Transportation, for the Six-Year Secondary Road Plan during the six-year period of FY2000-01 through FY-2005-06:

1. **Lakeside Drive** – intersection improvements between Beechwood Drive and Dare Road
2. **Dare Road** – install a left turn lane along westbound lane at Constitution Drive
3. **Big Bethel Road** – intersection improvements at Route 134 and Route 171
4. **Fort Eustis Boulevard Extension** – construct a new road on a new location between the current terminus at Patriot Square Shopping Center and Goodwin Neck Road at its intersection with Seaford Road
5. **Penniman Road** – reconstruct and pave from Alexander Lee Parkway to Fillmore Drive
6. **Carys Chapel Road** – construct intersection improvement at Victory Boulevard
7. **Grafton Drive/Burts Road** – realign Grafton Drive/Route 17 intersection and reconstruct to approximately 0.2 mile north of Route 17
8. **Burts Road** – realign and connect with Grafton Drive intersection and reconstruct to approximately 0.3 mile south of Route 17
9. **Yorkville Road** – improve curve
10. **Yorktown Road** – reconstruct from Tabb Lane to Big Bethel Road
11. **Seaford Road** – widen between Goodwin Neck Road and Seaford Elementary School
12. **Allens Mill Road** – drainage and spot safety improvements
13. **Burts Road** – reconstruct from 0.3 mile south of Route 17 to Oriana Road
14. **Waller Mill Rail Trail** – provide 20% local match for Enhancements Program for construction of a multi-use path parallel to Airport Road
15. **Cook Road** – provide 20% local match for CMAQ-funded project to construct bicycle lanes between the northern intersection of Surrender Road and Moore House Road

On roll call the vote was:

Yea: (5) Meadows, Funk, Mills, Zaremba, Noll  
Nay: (0)

APPLICATION NO. UP-552-99, THE STORING CREW

After a brief introductory video, Mr. Baldwin made a presentation on Application No. UP-552-99 requesting a special use permit for the establishment of a mini-storage warehouse facility adjacent to the Shady Banks shopping center on Route 134, approximately 3,700 feet east of the intersection of Hampton Highway and Big Bethel Road. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R99-215.

Chairman Noll then called to order a public hearing on Application No. UP-522-99 that was duly advertised as required by law. Proposed Resolution R99-215 is entitled:

A RESOLUTION TO APPROVE APPLICATION NO. UP-552-99 THAT  
REQUESTS A USE PERMIT TO ESTABLISH A MINI-STORAGE  
WAREHOUSE FACILITY ADJACENT TO THE SHADY BANKS SHOP-  
PING CENTER ALONG ROUTE 134

Mr. Robert Bazanni, 121 Shirley Drive, indicated he had called storage facilities in York County, and there are plenty still available for rent. He stated he did not see the need for another facility in an area that is predominately residential, and he did not see how it could positively impact the business base of York County. He asked the Board to deny the application.

Mr. Scott Williams, 203 Robin Hood Drive, stated the applicant had shown some very pretty renderings of the proposed facility. The residents of Sherwood Forest originally opposed the proposal, but he stated they are now on the fence. They are concerned about their property values being impacted negatively, and the renderings may not show the facility in its final state. They applauded the Planning Commission for putting restrictions on the proposal, but stated the restrictions must be enforced if the application is approved.

Mr. Reuben Eatmon, 134 Post Oak Road, representing the homeowners association, spoke in support of the application. He stated Mr. Grubb met with the Association, and the residents addressed their concerns pertaining to property values, safety, and trust. He stated history indicates that facilities of this type are often not maintained, and after discussing the issues with the applicant, the residents felt strongly that they should support the effort. In light of the other developments that could be established by right, the residents feel that the storage facility would add value to their property because of the aesthetics and design of the facility.

Mr. Funk asked Mr. Eatmon if he was an officer of the homeowners' association.

Mr. Eatmon indicated he was not, but it had authorized him to speak on their behalf.

Dr. Joseph Wallace, Woodland Road, stated his office was directly down the street on Hampton Highway from the proposed facility, and he spoke in support of the project. He pointed out, however, that he had to maintain a 50-foot right-of-way on all four sides of his property, and he did not see why the applicant would not also have to maintain a 50-foot right-of-way.

Mr. Jeffrey Grubb, the applicant, displayed for the Board members architectural renderings of the proposed facility. He spoke of the reasons his company wished to locate on the subject site. He then reviewed the design elements incorporated into the site, indicating the facility would be climate controlled with a camera surveillance system. Mr. Grubb stated he felt it would be a very good development which would meet a market need, and he asked the Board to approve the application.

Mr. Funk stated he wished to make it clear to everyone that there were no entrances or exists from Route 134 and none off of Gable Way.

Mr. Grubb stated that was correct.

Mr. Funk asked if the 50-foot buffer would be where the property abuts residential property.

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Mr. Grubb indicated they would be putting in a Class 50 planting buffer.

Mr. Funk asked if there would be a buffer along the Shady Banks property.

Mr. Grubb indicated there would not be, but a planting would be done.

Chairman Noll asked where the facility's sign would be placed.

Mr. Grubb stated there would be a grounded monument sign close to the entrance.

Mr. Baldwin indicated the County's regulations allow some clearing of the greenbelt for placement of a sign. He stated an appropriate location would be decided during the site plan review process.

There being no one else present who wished to speak concerning the subject application, Chairman Noll closed the public hearing.

Mr. Mills asked if any warehouses or storage facilities are allowed by right in any zoning district.

Mr. Baldwin indicated they are allowed in the IL district.

Mr. Zaremba asked how many storage facilities have been built in the last 12 months.

Mr. Baldwin stated he recalled three. One rezoning request was denied.

Mr. Zaremba asked what other kinds of business would be allowed.

Mr. Baldwin stated there is a long list of commercial uses that could be built.

Chairman Noll asked if a fast-food restaurant could be built by right.

Mr. Baldwin indicated it could.

Mr. Stuck indicated the property is zoned the same as the shopping center. The proposed use is probably a less intense use than many of the others that would be allowed as a matter of right.

Mr. Zaremba noted the economic benefit to the County was only about \$48,000.

Mr. Baldwin stated staff looked at the issue of the need for a storage facility in this area. They tried to increase the buffer and trees to screen the facility. He noted there is a power easement that runs beyond the 25-foot buffer.

Mr. Zaremba asked what was the recommendation of Mr. Noel, the Executive Director of the County's Industrial Development Authority.

Mr. Baldwin stated he met with Mr. Grubb and voiced no objections. Mr. Noel has some concern also so to whether or not this would be the best and highest use of the property.

Discussion followed on the best use of the property in question.

Mr. Zaremba questioned whether or not this type of facility at this location is what the Board wants for York County.

Mr. Baldwin noted there was another application coming behind this one that will be considered by the Planning Commission in February. He stated this corridor is eyed for this particular industry at this time.

Mr. Funk asked what kind of buffering would be required for a fast food restaurant.

Mr. Baldwin stated a greenbelt 35-foot buffer would be required on Route 134, transitional 25-foot buffers would be required next to residential areas, and none would be required next to commercial. He stated that all the additional plantings that are being required for this application would not be required for anyone who has a by-right project.



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Mr. Meadows indicated the County has four storage facilities on Route 17 and one on Seaford Road, and there would be many trucks coming and going.

Mr. Mills stated he felt the Board should have a higher vision for this property, that it is an important commercial location. This proposal may look good today, but he questioned what it would look like in 10 years.

Mr. Funk moved the adoption of proposed Resolution R99-215 that reads:

A RESOLUTION TO APPROVE APPLICATION NO. UP-552-99 THAT  
REQUESTS A USE PERMIT TO ESTABLISH A MINI-STORAGE  
WAREHOUSE FACILITY ADJACENT TO THE SHADY BANKS SHOP-  
PING CENTER ALONG ROUTE 134

WHEREAS, The Storing Crew has submitted Application No. UP 552-99 that requests a special use permit pursuant to Section 24.1-306 (Category 14, No. 6) of the York County Zoning Ordinance, to authorize the establishment of a mini-storage warehouse facility on the parcel located adjacent to the Shady Banks shopping center along Hampton Highway (Route 134) and further identified as Assessor's Parcel No. 38A1-(9)-E; and

WHEREAS, said application has been referred to the York County Planning Commission; and

WHEREAS, the Commission has recommended approval of this application; and

WHEREAS, the Board has conducted a duly advertised public hearing in accordance with applicable procedure; and

WHEREAS, the Board has carefully considered the public comments and the recommendations of the Commission and staff with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that it does hereby approve Application No. UP-552-99, subject to the following conditions:

1. This use permit shall authorize the establishment of a mini-storage warehouse facility located adjacent to the Shady Banks shopping center along Hampton Highway (Route 134) on approximately four (4) acres of land that is further identified as Assessor's Parcel No. 38A1-(9)-E.
2. The mini-storage warehouse facility shall be developed and operated in accordance with the standards set forth in Section 24.1-483, *Standards for all wholesaling and warehouse uses*, Section 24.1-484, *Standards for mini-storage warehouses*, and Section 24.1-245, *Greenbelts*.
3. A site plan shall be prepared in accordance with Article V of the York County Zoning Ordinance. Said site plan shall be in substantial conformance with the concept plan titled Concept Plan and dated October 24, 1999.
4. A Type-25 (twenty-five-foot) transitional buffer shall be constructed and maintained along the entire length of the eastern and southern portions of the parcel, adjacent to Gable Way and the Gables of York subdivision. Landscape plantings in the Type-25 buffer along Gable Way shall be in accordance with the planting requirements and ratios of a Type-35 (thirty-five-foot) buffer. Landscape plantings on the southern portion of the parcel shall be in accordance with the planting requirements and ratios of a Type-50 (fifty-foot) buffer.
5. Any breaks in the mini-storage warehouse facility's façade along Gable Way and Hampton Highway (Route 134) shall be screened by landscape plantings.
6. A single commercial entrance shall serve the site. Said entrance shall be located within the existing shopping center entrance and direct access to Route 134 shall be prohibited.
7. A decorative façade in substantial conformance with the conceptual plan titled "The Storing Crew - Developers of Professional Self-Storage Properties" and date stamped October 27,

1999, shall be extended along all sides of the warehouse development, except as where breaks are made necessary by the entrance, Zoning Ordinance regulations, and the curved portion of the property adjacent to the Shady Banks shopping center parking area. In particular, the façade shall contain the same materials, colors, design, and large and small gables at regular intervals as depicted on the above-referenced conceptual plan.

8. Signage for the development shall be limited to one ground-mounted monument type sign. Said sign shall be constructed of the same materials and colors as depicted on the picture titled "Sign" and date stamped October 27, 1999, and shall be completely encased in stone. The area around the base of the sign shall be landscaped similar to that which is depicted on the above-referenced picture.
9. The development shall be limited to 70,000 (or fewer) net square feet of rentable space.
10. All warehouse doors shall face the inside of the mini-storage warehouse development. No warehouse doors shall be sited along or in the exterior façade of the mini-storage warehouse development.
11. A continuous line of fencing around the perimeter of the mini-storage warehouse facility shall not be permitted. Limited fencing along breaks in the façade made necessary by Zoning Ordinance regulations and along portions of the western side of the parcel adjacent to the shopping center entrance as depicted in the concept plan titled "Concept Plan" and dated October 24, 1999, shall be permitted. Said fencing shall be a black, wrought iron style fence. The use of chain link or similar theft-deterrent wire (i.e., barbed wire, razor wire, etc.) shall not be permitted.
12. Building height shall be no greater than fifteen feet (15'), as measured from the finish grade, except for the large gables on the decorative facade, which may be no greater than thirty feet (30'), as measured from the finish grade.
13. Building and storage door colors shall be of a muted, Colonial hue as depicted in the pictures included with the use permit file.
14. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea:	(1)	Funk
Nay:	(4)	Mills, Zaremba, Meadows, Noll

#### **CITIZENS COMMENT PERIOD**

Ms. Phyllis Henderson, 312 Tides Run, spoke on behalf of the citizens residing in upper York County who are in favor of building a YMCA facility in York County. She stated it would be a worthwhile investment and will benefit families in the community. The YMCA has a proven history in its success in delivering services nationwide and would be an asset to the County. Ms. Henderson stated the County needs institutions in the community that support families and youth, and she urged the Board to vote in support of the YMCA proposal for a community center.

Mr. Vernon L. Holloman, Jr., Hayes, stated he felt the York County Athletic Club proposal was a far superior proposal, and he spoke of the separation of church and state principle, stating the YMCA is a religious-based organization. He asked about the feasibility of providing public property and funding to a religious organization that is tax exempt. Mr. Holloman urged the Board to consider this principle and approve the York County Athletic Club proposal based on its merits.

Discussion followed regarding concern that the YMCA facility would be competing with local child care businesses, at which time the County Attorney indicated there was no church/state problem with the YMCA proposal because of the way it was drafted.

Mr. Greg Granger, Williamsburg, appeared on behalf of his father who owns property on Water Street which the County wishes to purchase. He provided the Board members with copies of a letter from his father indicating the family does not want to sell the property, that it was purchased with the intent of future development under the County's guidelines. He stated they would only consider developing something on the property that would benefit the citizens and comply with the County's plans.

Mr. Jack Sheehan, 128 York Point Road, spoke on behalf of the YMCA proposal for a community center. He indicated he served on the Board of Directors for the YMCA, and the key point is that the center will remain under the control of the citizens of York County through its Board of Directors. The programs and fees will be controlled by the Board of Directors, and it would be significantly in the interest of the citizens to have such an arrangement.

Ms. Diane Estano, 208 Church Road, stated the County's housing program is the best, and she asked the Board to continue supporting it. She also encouraged the Board to provide adequate funding to the School Board for special education programs that are badly needed. Ms. Estano wished the Board a Merry Christmas and a Happy New Year and stated the Board was doing a terrific job, and the members are greatly appreciated.

Mr. Brian Koch, 208 Church Road, spoke on behalf of the YMCA proposal for a community center. He stated it would help kids off the streets, keep them away from drugs and alcohol, and keep them out of criminal activity. He urged the Board to approve the YMCA proposal.

Mr. Frank Miller, Hampton, also spoke regarding the YMCA proposal, stating he has been a member of its Board of Directors for over 20 years. He stated the YMCA provides a great deal of benefit to the community in that it serves a very broad-based community. Mr. Miller stated the City of Hampton has invested over \$5 million in the YMCA, and it has been a very wise investment. He urged the Board to approve the YMCA proposal.

Mr. John Sheppard, 703 Marlbank Drive, representing Newport News Shipyard, stated the Shipyard employs about 1,000 York County residents. He also stated he has not met one person who was not a supporter of the YMCA facility. Mr. Sheppard stated it would be a wonderful thing for the County, and he encouraged the Board to vote in favor of the YMCA proposal.

The following individuals left a comment on the Citizens' Comment Line:

Lisa Donahue, 110 Robin Hood Drive  
Carla Brisco, 305 CoinJock Run  
Philip Boykin, 202 Penrith Crossing  
Doc Cecil Johnson, 205 Royal Grant Drive  
Darlene Wilcox, Bruton District  
Gerald L. Cooper, 200 Wichita Lane

#### **MATTERS PRESENTED BY THE BOARD**

Chairman Noll stated it had been a honor and privilege to serve the people of her district for the past four years, and she had appreciated the support and encouragement she has felt throughout the County. She indicated this Board had accomplished a great deal, although the decisions have not been easy, and they have helped improve the quality of life for the citizens of the County. She thanked the other Board members for their knowledge, wisdom, and advice.

Mr. Zaremba expressed his agreement with Chairman Noll's comments regarding it being an honor to serve the citizens of York County. He commended Mr. Meadows, Mr. Funk, and Mr. Mills for the service they have given the County. He stated at times there had been difficult issues before the Board, and the Board had argued both sides. The three outgoing members stepped forward to serve the County and took their time to do so, displaying dedication to doing their best for the County. Mr. Zaremba stated each of them had been a mentor to him over the last four years, and he would miss them. He expressed his wish that the three of them stay involved in York County government.

Mr. Mills expressed his thanks to many people for their support during the 12 years he spent on the Board of Supervisors, including family, friends, staff members, and former Board members.

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Mr. Meadows indicated this Board decided four years ago it would be a team, and he believed that was what they were. He discussed the importance of the support the Board had from the staff, and indicated the new Board would find that out very soon. He thanked the 1,800 people who supported him, and he declared his intention of staying active in County affairs.

Mr. Funk stated he had served with a number of other Board members over the past 12 years, and they had served as a team through all the different Boards. He stated they had a common purpose to serve the people, and he had been honored to do so. Mr. Funk expressed his appreciation to the staff, stating they kept the Board focused.

Meeting Recessed. At 9:31 p.m. Chairman Noll declared a short recess.

Meeting Reconvened. At 9:38 p.m. the meeting was reconvened in open session by order of the Chair.

#### **CONSENT CALENDAR**

Mr. Stuck asked that proposed Resolution R99-233 to appropriate grant funds received for the purchase of cable television equipment be added to the Consent Calendar for consideration.

Mr. Mills moved that the Consent Calendar be approved as amended, Item Nos. 5, 6, 7, and 8, to include proposed Resolution R99-233 as requested by Mr. Stuck.

On roll call the vote was:

Yea: (5) Mills, Zaremba, Meadows, Funk, Noll  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 5. APPROVAL OF MINUTES**

The minutes of the following meetings of the York County Board of Supervisors were approved:

November 10, 1999, Adjourned Meeting  
November 16, 1999, Adjourned Meeting  
November 17, 1999, Regular Meeting  
December 1, 1999, Regular Meeting  
December 3, 1999, Adjourned Meeting

#### **Item No. 6. PUBLIC SEWER EXTENSION AGREEMENT: PROSPECT PARK: Resolution R99-234**

##### **A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE COUNTY'S SANITARY SEWER SYSTEM TO THE PROPOSED DEVELOPMENT, PROSPECT PARK, AND AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION AGREEMENT**

WHEREAS, Hampton Roads Development, L.L.C. has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve 20 new lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the

developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$37,500.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that the Board approves the extension of the County's public sewer system to serve the proposed development, Prospect Park, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Hampton Roads Development, L.L.C. for the proposed extension; such agreement to be approved as to form by the County Attorney.

Item No. 7. STREET NAME CHANGE: Resolution R99-217.

A RESOLUTION TO CHANGE THE NAME OF PORTIONS OF  
MOORE HOUSE ROAD AND ALL OF WASHINGTON ROAD, TO  
BALLARD STREET

WHEREAS, it has been determined that improved street signage in the Yorktown village area by extending the Ballard Street designation is desirable; and

WHEREAS, extending the Ballard Street designation would further serve to avoid possible confusion during responses by York County emergency personnel; and

WHEREAS, it has been proposed to change the name of portions of Moore House Road and all of Washington Road, to Ballard Street; and

WHEREAS, the commander of the U.S. Coast Guard Reserve Training Center in Yorktown and the superintendent of the Colonial National Historical Park support this proposal; and

WHEREAS, Section 20.5-79(d), Subdivision Ordinance, York County Code, provides that names of recorded streets shall be changed only by resolution of the Board of Supervisors; and

WHEREAS, the proposed street name has been determined to be acceptable relative to applicable provisions of the York County Subdivision Ordinance;

NOW THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that it does hereby extend Ballard Street from Water Street to the U. S. Coast Guard Reserve Training Center, Yorktown, including only the portions of Moore House Road that run through the Yorktown battlefield and all of Washington Street; and

BE IT FURTHER RESOLVED that the County Administrator be and is hereby authorized to transmit said approval to all affected property owners on Moore House Road and Washington Road, various County departments, the postmaster, public utilities, and private companies that may have an interest in this change.

Item No. 8. SEWER AND WATER STANDARDS AND SPECIFICATIONS: Resolution R99-224.

A RESOLUTION TO MODIFY SECTION I, II, III AND APPENDIX H  
OF THE COUNTY OF YORK SANITARY SEWER STANDARDS AND  
SPECIFICATIONS TO MAKE CERTAIN TECHNICAL MODIFICA-  
TIONS TO THESE SECTIONS TO REFLECT CURRENT ENGINEER-  
ING AND CONSTRUCTION PRACTICES AND TO REFORMAT CER-  
TAIN SECTIONS TO ENHANCE CUSTOMER SERVICE

BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that the proposed revised sections of the Sanitary Sewer Standards and Specifications as presented to the Board on November 10, 1999, and the details as presented to the Board on December 15, 1999, are hereby adopted.

APPROPRIATION OF GRANT FUNDS FOR CABLE TELEVISION EQUIPMENT: Resolution R99-233 (Added to Consent Calendar)

A RESOLUTION TO APPROPRIATE GRANT FUNDS FOR THE PURCHASE OF CABLE TELEVISION EQUIPMENT

WHEREAS, Cox Communications provided grant money totaling \$128,166 for the operation of the York County governmental, educational, and local access channels as part of the 1997 Cable Television Franchise Agreement; and

WHEREAS, since received, the grant funds have been held in reserve; and prior to expenditure, they must be appropriated; and

WHEREAS, the grant will be used by the York County Video Services Division to improve operations of the cable channels managed by that division;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that \$128,166 of funding received through a grant from Cox Communications be, and hereby is, appropriated in the General Fund for the purchase of equipment for the Cable TV Stations.

On roll call the vote was:

Yea: (5) Zaremba, Meadows, Funk, Mills, Noll  
Nay: (0)

**NEW BUSINESS**

AMENDMENT TO SPECIAL USE PERMIT: JAMES-YORK PLAZA, L.L.C.

Mr. Baldwin made a presentation explaining the purpose of proposed Resolution R99-230 to approve a request for a minor amendment to Application No. UP-537-98 to authorize outward-facing storage bay doors at the mini-storage warehouse facility at James-York Plaza Shopping Center. He indicated that staff's position was that outward facing doors are not appropriate and recommends denial. He noted that if the Board wished to approve the application, staff had a revised Condition No. 7 for the Board to consider to require additional landscaped screening.

Mr. Meadows moved the adoption of proposed Resolution R99-230 that reads:

A RESOLUTION TO APPROVE APPLICATION NO. UP-554-99 FOR A MINOR AMENDMENT TO RESOLUTION NO. R98-208, TO AUTHORIZE OUTWARD-FACING STORAGE BAY DOORS AT THE MINI-STORAGE WAREHOUSE FACILITY AT JAMES-YORK PLAZA SHOPPING CENTER

WHEREAS, on November 18, 1998, the Board of Supervisors approved Application No. UP-537-98 through the adoption of Resolution No. R98-208 to authorize the construction of a mini-storage warehouse facility at James-York Plaza shopping center; and

WHEREAS, James-York Plaza, L.L.C. has requested a minor amendment of Resolution No. R98-208 pursuant to Section 24.1-115 of the York County Zoning Ordinance to amend condition 7 of Resolution R98-208 to authorize the construction of outward-facing storage bay doors at the proposed mini-storage warehouse facility on the parcel located adjacent to James-York Plaza shopping center and which is further identified as portions of Assessor's Parcel Nos. 10-(3)-6 and 10-(2)-1; and

WHEREAS, the Board has carefully considered the staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of December, 1999, that the request for a minor amendment to Resolution No. R98-208 be, and it is hereby, approved to amend condition 7 of Resolution R98-208 to authorize

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outward-facing storage bay doors at the proposed mini-storage warehouse facility at James-York Plaza shopping center, as follows:

\*\*\*

As approved in Resolution R98-208:

7. All storage bay doors shall face the interior of the development and the orientation of the office and manager residence shall be as depicted on the conceptual plan dated August 26, 1998.

Proposed:

7. All storage bay doors and the orientation of the office and manager residence shall be as depicted on the conceptual plan dated November 3, 1999. All outward-facing storage bay doors shall be completely screened from view with dense vegetation. A landscape plan prepared by a certified landscape architect demonstrating such screening must be approved by the Zoning Administrator prior to construction.

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On roll call the vote was:

Yea: (0)  
Nay: (5) Meadows, Funk, Mills, Zaremba, Noll

#### ROADSIDE WASTE COLLECTION CONTRACT

Mr. Stuck briefly explained the purpose of proposed Resolution R99-212 which would authorize the execution of a contract to provide roadside waste collection services in the County, and he reviewed the specifics of the proposed contract with Browning-Ferris Industries (BFI).

Chairman Noll asked how much it will cost the County to change the price.

Mr. Stuck indicated no additional cost was involved.

Mr. Meadows stated that BFI has done an excellent job, and they exceeded the requirements of their contract many times in order to provide special services to citizens needing special attention.

Discussion followed on the costs of the contract.

Mr. Zaremba moved the adoption of proposed Resolution R99-212 that reads:

#### A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT TO PROVIDE ROADSIDE WASTE COLLECTION SERVICES

WHEREAS, roadside waste collection in the County was initiated on March 1, 1993 under a contract with Browning-Ferris Industries and the subsequent extension of this contract will expire on February 29, 2000; and

WHEREAS, the County desires to maintain the present level of service and to extend this program until June 30, 2004; and

WHEREAS, BFI Waste Services of North America (BFI), Browning-Ferris Industries successor, was the successful proposer for the continued implementation of the roadside waste collection program; and

WHEREAS, no additional appropriation is required to provide for the roadside waste collection program operation; and

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WHEREAS, the County Administrator has determined that the procurement is necessary and desirable, and that the applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this 15th day of December, 1999, that the County Administrator be, and he is hereby, authorized to enter into a contract with BFI Waste Systems of North America, Inc., to operate the County's roadside waste collection program, such contract to be approved by the County Attorney and to be in substantially the same form as that submitted to the Board with the report of the County Administrator dated December 6, 1999.

On roll call the vote was:

Yea: (5) Funk, Mills, Zaremba, Meadows, Noll  
Nay: (0)

#### YORK COUNTY COMMUNITY CENTER PROJECT

Mr. Stuck explained the purpose of proposed Resolutions R99-232 and R99-238 to authorize a public-private partnership for the purposes of establishing a York County Community Center with either the YMCA or the York County Athletic Club. He stated the recommendation is based on staff's assessment of the two proposals received for a community center to be constructed on the site owned by the County on property next to the new library in Tabb. The memorandum explained the evaluation process used, and staff believes the YMCA has a proposal worthy of consideration. The York County Athletic Club proposal is not in a final form, and staff has not been able to find any information concerning financing for its proposal. Mr. Stuck stated the options the Board has before it at this time are to take no action, delay action, or choose to proceed with either of the two proposals before it. He then spoke concerning the changes made to the original contract with the YMCA, stating they were minor in nature.

Mr. Barnett indicated the resolution pertaining to approval of the YMCA proposal was based on the first draft of the contract sent to the Board, and noted it needed to be amended to reflect the date of receipt of the amended contract if the Board wished to proceed with the YMCA proposal.

Mr. Meadows stated he felt this opportunity was way overdue for the youth in York County, and he was proud to be voting on the issue at this time.

Mr. Zaremba indicated he had some reservations early in the process concerning the process itself and whether it was within the boundaries of applicable laws.

Mr. Barnett noted that State law allows jurisdictions to adopt alternate procurement policies, and he explained and clarified the procedures for use of Invitation for Bids (IFB) versus Request for Proposals (RFP). He indicated with respect to contracts such as this where content cannot be specified in advance, the procedure used would be an RFP. He further noted that the County was not bound to accept the low bid. The County put together a review committee which ranked the proposals based on certain criteria applicable to the needed procurement. Mr. Barnett also mentioned the advertising and staff's efforts to solicit other proposals. He stated the process followed not only complied with the County's ordinances and State law but also went beyond what the ordinances require.

Mr. Zaremba noted this had been his concern from the start, and his concern now is that the County gets the best deal for the best price.

Mr. Mills stated when the County is trying to find someone to provide a service, the best way is through an RFP. He asked how the County would handle it if it were building a recreation center.

Mr. Barnett indicated an IFB would be used for the construction, but an RFP would be used first for the architectural and engineering plans.

Mr. Funk had noted that there was a document available that spelled out the amenities for such a facility.



Mr. Barnett stated he believed that both proposers were able to view that document.

Mr. Zaremba stated there is a competitive bid process set up by the State of Virginia that is based on the public policy that competition is good. He stated he was not comfortable with the fact that York County was working under an exception to the State statutes, although it is perfectly legal, because he wanted to make sure that the County was getting the best product for the cost.

Mr. Barnett, at the request of the Board, briefly addressed the church/state issue.

Chairman Noll stated she felt the staff had bent over backwards to solicit other proposals.

Mr. Zaremba asked Mr. Stuck to review the staff's discussions with James City County concerning its allowing upper York County citizens to use its recreational facility at a reduced rate.

Mr. Stuck indicated it has been recommended to set up a voucher program whereby those York County citizens, who join at the current rates charged to James City County and Williamsburg residents, can present their receipt to York County for a rebate on the fee. He stated this arrangement would cost York County less than the original proposal to subsidize James City County's facility with a lump sum.

Mr. Meadows moved the adoption of proposed Resolution R99-232(R) that reads:

A RESOLUTION TO AUTHORIZE A PUBLIC-PRIVATE PARTNERSHIP  
FOR THE PURPOSES OF ESTABLISHING A YORK COUNTY COM-  
MUNITY CENTER.

WHEREAS, the citizens of York County have expressed an interest in and desire to have available to them a community center and it is the desire of the Board of Supervisors to provide such a facility, but to do so in the most cost effective manner possible; and

WHEREAS, a public-private partnership has been determined to be the manner in which the Board can provide such a facility with the greatest benefit to the citizens and at the lowest investment of tax dollars; and

WHEREAS, the Board has received proposals for such a partnership to construct and operate a community center and has reviewed two proposals for this purpose and has determined that the proposal from the Peninsula Metropolitan YMCA for a "Victory YMCA" is the most complete and financially feasible; has the desired amenities and has the greatest potential for successful implementation; and

WHEREAS, the Board desires to enter into an agreement with the YMCA for the long-term lease of County property as provided in a proposed agreement and to make a financial contribution toward the construction of such a facility, to be paid in equal annual installments of \$200,000 for a period of 10 years beginning at such time as the YMCA commences construction of the project; and

WHEREAS, it is the desire of the Board to provide opportunities for County residents by subsidizing the membership of such residents to secure memberships of comparable fees to residents of James City County in the James City County-Williamsburg Recreation Center;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, that the County Administrator be, and hereby is, authorized to execute an agreement with the YMCA, substantially in the same form as that transmitted to the Board on December 13, 1999, to provide for the use of County-owned land and for an intended financial contribution to be paid in equal annual installments of \$200,000 for a period of 10 years beginning at such time as the YMCA commences construction of the project subject to annual appropriations of this Board for the purposes of establishing a Victory YMCA to serve the community and recreation needs of the citizens of York County.

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BE IT FURTHER RESOLVED that the County Administrator is directed to develop a subsidy program for County residents who join the James City County-Williamsburg Recreation Center to take effect concurrently with the beginning of construction of the Victory YMCA.

BE IT STILL FURTHER RESOLVED, that the County Administrator is authorized and directed to take all necessary actions for these purposes.

On roll call the vote was:

Yea: (5) Mills, Zaremba, Meadows, Funk, Noll  
Nay: (0)

**CLOSED MEETING.** At 10:18 p.m. Mr. Funk moved that the meeting be convened in Closed Session pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Zaremba, Meadows, Funk, Mills, Noll  
Nay: (0)

**Meeting Reconvened.** At 10:29 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Funk moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED SESSION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of December, 1999, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Meadows, Funk, Mills, Zaremba, Noll  
Nay: (0)

#### APPOINTMENTS TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

Mr. Mills moved the adoption of proposed Resolution R99-235 that reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY REPRESENTATIVE TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of supervisors this 15th day of December, 1999, that Anne B. Smith be, and she is hereby, reappointed as a York County representative on

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the York-Poquoson Social Services Board for a term of four years, such term to begin on January 1, 2000 and ending on December 31, 2004.

On roll the vote was:

Yea: (5) Funk, Mills, Zaremba, Meadows, Noll  
Nay: (0)

Mr. Mills then moved the adoption of proposed Resolution R99-236 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE  
TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of supervisors this 15th day of December, 1999, that Leon S. Hirsh be, and he/she is hereby, appointed as a York County representative on the York-Poquoson Social Services Board for a term of four years, such term to begin on January 1, 2000 and ending on December 31, 2004.

On roll call the vote was:

Yea: (5) Mills, Zaremba, Meadows, Funk, Noll  
Nay: (0)

APPOINTMENTS TO THE 2000 BEAUTIFICATION COMMITTEE

Mr. Funk moved the adoption of proposed Resolution R99-226 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE 2000 YORK  
COUNTY BEAUTIFICATION COMMITTEE

BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that the following individuals be, and they are hereby, appointed to the York County Beautification Committee for 2000, such appointments to take effect January 1, 2000, and expire on December 31, 2000.

Don E. Avery	Doris J. Eagle	Kimberly L. Smith
Cynthia I. Barbeau	Carole A. Ferro	Nadien P. Smith
Jill G. Bieri	Robert T. Hornsby, Jr.	Linda Sotack
John R. Capin	Norma Jackson	Richard E. Wallsom
Pamela S. Cianelli	Walter T. Latham	Selma R. Webb
Virginia A. Collie	Harold N. Murrow	Erika N. Wilson
Ada J. Croke	John T. Payne	

On roll call the vote was:

Yea: (5) Zaremba, meadows, Funk, Mills, Noll  
Nay: (0)

APPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mr. Meadows moved the adoption of proposed Resolution R99-237 that reads:

A RESOLUTION TO APPOINT A NEW MEMBER TO THE YORK  
COUNTY WETLANDS BOARD

WHEREAS, Melanie Rapp resigned from the York County Wetlands Board on November 10, 1999;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of December, 1999, that Dr. Roland G. Garrett, Jr., be, and he is hereby, appointed to

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the York County Wetlands Board for the remainder of Melanie Rapp's term, such term to expire on June 30, 2001.

On roll call the vote was:

Yea: (5) Meadows, Funk, Mills, Zaremba, Noll  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY EMPLOYEE GRIEVANCE PANEL

Mrs. Noll moved the adoption of proposed Resolution R99-180(R) that reads:

A RESOLUTION TO APPOINT A NEW MEMBER AND AN ALTER-  
NATE MEMBER TO THE EMPLOYEE GRIEVANCE PANEL

WHEREAS, Mr. W. Ben Burton has relocated out of the area resulting in his resignation from the Employee Grievance Panel; and

WHEREAS, Mr. H. E. Rockey's term as an alternate member of the Employee Grievance Panel expired on September 30, 1999; and

WHEREAS, Mr. Rockey is eligible for reappointment and has expressed a desire to continue to serve as the alternate member of the Employee Grievance Panel; and

WHEREAS, the Board has reviewed and considered Mr. Rockey's application, as well as the applications of other citizens interested in serving in this capacity;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 15th day of December, 1999, that Paul W. Garman be appointed as a new member and that H.E. Rockey be appointed as an alternate member to the York County Employee Grievance Panel.

On roll call the vote was:

Yea: (5) Funk, Mills, Zaremba, Meadows, Noll  
Nay: (0)

Meeting Adjourned. At 10:32 p.m. Chairman Noll declared the meeting adjourned sine die.

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Daniel M. Stuck, Clerk  
York County Board of Supervisors

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Sheila S. Noll, Chairman  
York County Board of Supervisors